

PCT REQUEST

1097WOORD01

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|       |   |   |
|-------|---|---|
| 0     | For receiving Office use only   |   |
| 0-1   | International Application No.   | PCT/EP 0 3 / 0 3 0 7 6                                  |
| 0-2   | International Filing Date   | ( 25.03.03 ) 25 MAR 2003                                |
| 0-3   | Name of receiving Office and "PCT International Application"  | EUROPEAN PATENT OFFICE<br>PCT INTERNATIONAL APPLICATION |
| 0-4   | Form - PCT/RO/101 PCT Request   |   |
| 0-4-1 | Prepared using  | PCT-EASY Version 2.92<br>(updated 01.01.2003)           |
| 0-5   | Petition<br>The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty |   |
| 0-6   | Receiving Office (specified by the applicant)   | European Patent Office (EPO) (RO/EP)                    |
| 0-7   | Applicant's or agent's file reference   | 1097WOORD01   |
| I     | Title of Invention  | NOVEL ALKOXYPYRIDINE-DERIVATIVES                        |
| II    | Applicant   |   |
| II-1  | This person is:   | applicant only  |
| II-2  | Applicant for   | all designated States except US                         |
| II-4  | Name  | ALTANA PHARMA AG  |
| II-5  | Address:  | Byk-Gulden-Str. 2<br>D-78467 Konstanz<br>Germany        |
| II-6  | State of nationality  | DE  |
| II-7  | State of residence  | DE  |
| II-8  | Telephone No.   | +49 (0) 7531-845365                                     |
| II-9  | Facsimile No.   | +49 (0) 7531-845321                                     |
| II-10 | e-mail  | DEKON.IPPA-DE@altanapharma.com                          |

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|         |                           |   |
|---------|---------------------------|---|
| III-1   | Applicant and/or inventor |   |
| III-1-1 | This person is:           | applicant and inventor  |
| III-1-2 | Applicant for             | US only   |
| III-1-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CA CN CO CU DZ EC GE HR<br>ID IL IN IS JP KR LT LV MA MK MX NO NZ<br>PH PL SG TN UA US VN YU ZA ZW |
| III-1-4 | Name (LAST, First)        | ULRICH, Wolf-Rüdiger  |
| III-1-5 | Address:                  | Alpenstr. 2<br>D-78464 Konstanz<br>Germany  |
| III-1-6 | State of nationality      | DE  |
| III-1-7 | State of residence        | DE  |
| III-2   | Applicant and/or inventor |   |
| III-2-1 | This person is:           | inventor only   |
| III-2-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW          |
| III-2-4 | Name (LAST, First)        | BOER, Rainer  |
| III-2-5 | Address:                  | Rebbergstraße 43<br>D-78464 Konstanz<br>Germany   |
| III-3   | Applicant and/or inventor |   |
| III-3-1 | This person is:           | inventor only   |
| III-3-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW          |
| III-3-4 | Name (LAST, First)        | MARX, Degenhard   |
| III-3-5 | Address:                  | Obere Reute 15<br>D-78345 Moos<br>Germany   |

|         |                           |  |
|---------|---------------------------|--|
| III-4   | Applicant and/or inventor |  |
| III-4-1 | This person is:           | inventor only  |
| III-4-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-4-4 | Name (LAST, First)        | ELTZE, Manfred   |
| III-4-5 | Address:                  | Schützenstraße 20<br>D-78462 Konstanz<br>Germany   |
| III-5   | Applicant and/or inventor |  |
| III-5-1 | This person is:           | inventor only  |
| III-5-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-5-4 | Name (LAST, First)        | KLEIN, Thomas  |
| III-5-5 | Address:                  | Döbelestr. 16<br>D-78462 Konstanz<br>Germany   |
| III-6   | Applicant and/or inventor |  |
| III-6-1 | This person is:           | inventor only  |
| III-6-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-6-4 | Name (LAST, First)        | NAVE, Rüdiger  |
| III-6-5 | Address:                  | Friedrichstraße 46<br>D-78464 Konstanz<br>Germany  |

|         |                           |  |
|---------|---------------------------|--|
| III-7   | Applicant and/or inventor |  |
| III-7-1 | This person is:           | inventor only  |
| III-7-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-7-4 | Name (LAST, First)        | GRÄDLER, Ulrich  |
| III-7-5 | Address:                  | Winkelstr. 2<br>D-78467 Konstanz<br>Germany  |
| III-8   | Applicant and/or inventor |  |
| III-8-1 | This person is:           | inventor only  |
| III-8-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-8-4 | Name (LAST, First)        | FUCHS, Thomas  |
| III-8-5 | Address:                  | Mezgerwaidring 43<br>D-78315 Radolfzell<br>Germany   |
| III-9   | Applicant and/or inventor |  |
| III-9-1 | This person is:           | inventor only  |
| III-9-3 | Inventor for              | EA: (AM AZ BY KG KZ MD RU TJ TM); EP:<br>(AT BE BG CH&LI CY CZ DE DK EE ES FI FR<br>GB GR HU IE IT LU MC NL PT SE SI SK TR);<br>AE AL AU BA BR CN CO CU DZ EC GE HR ID<br>IL IN IS JP KR LT LV MA MK MX NO NZ PL<br>SG TN UA VN YU ZA ZW |
| III-9-4 | Name (LAST, First)        | BARSIG, Johannes   |
| III-9-5 | Address:                  | Bleichenweg 11<br>D-78467 Konstanz<br>Germany  |

|        |   |   |
|--------|---|---|
| IV-1   | <b>Agent or common representative; or address for correspondence</b><br>The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:  | <b>common representative</b>  |
| IV-1-1 | Name  | ALTANA PHARMA AG  |
| IV-1-2 | Address:  | Byk-Gulden-Straße 2<br>D-78467 Konstanz<br>Germany  |
| IV-1-3 | Telephone No.   | +49-(0)7531-845365  |
| IV-1-4 | Facsimile No.   | +49-(0)7531-845321  |
| IV-1-5 | e-mail  | DEKON.IPPA-DE@altanapharma.com  |
| V      | <b>Designation of States</b>  |   |
| V-1    | <b>Regional Patent</b><br>(other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)  | EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT<br>EP: AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT SE SI SK TR and any other State which is a Contracting State of the European Patent Convention and of the PCT |
| V-2    | <b>National Patent</b><br>(other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)  | AE AL AU BA BR CA CN CO CU DZ EC GE HR ID IL IN IS JP KR LT LV MA MK MX NO NZ PH PL SG TN UA US VN YU ZA ZW   |
| V-5    | <b>Precautionary Designation Statement</b><br><br>In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. |   |
| V-6    | <b>Exclusion(s) from precautionary designations</b>   | NONE  |
| VI-1   | <b>Priority claim of earlier regional application</b>   |   |
| VI-1-1 | Filing date   | 27 March 2002 (27.03.2002)  |
| VI-1-2 | Number  | 02007049.6  |
| VI-1-3 | Regional Office   | EP  |
| VII-1  | <b>International Searching Authority Chosen</b>   | European Patent Office (EPO) (ISA/EP)   |

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|--------------|--|------------------------------------|--|
| <b>VII-2</b> | <b>Request to use results of earlier search; reference to that search</b>  |                                    |  |
| VII-2-1      | Date   | <b>20 August 2002 (20.08.2002)</b> |  |
| VII-2-2      | Number   | <b>EP02007049</b>                  |  |
| VII-2-3      | Country (or regional Office)   | <b>EP</b>                          |  |
| <b>VIII</b>  | <b>Declarations</b>  | <b>Number of declarations</b>      |  |
| VIII-1       | Declaration as to the identity of the inventor   | -                                  |  |
| VIII-2       | Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent             | 1                                  |  |
| VIII-3       | Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application | 1                                  |  |
| VIII-4       | Declaration of inventorship (only for the purposes of the designation of the United States of America)                               | 1                                  |  |
| VIII-5       | Declaration as to non-prejudicial disclosures or exceptions to lack of novelty   | -                                  |  |

|                  |  |   |
|------------------|--|---|
| VIII-2-1         | <b>Declaration: Entitlement to apply for and be granted a patent</b><br>Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:<br>Name: | in relation to this international application<br><br>ALTANA PHARMA AG<br>is entitled to apply for and be granted a patent by virtue of the following: |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, BOER, Rainer  |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, MARX, Degenhard   |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, ELTZE, Manfred  |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, KLEIN, Thomas   |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, NAVE, Rüdiger   |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, GRÄDLER, Ulrich   |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, FUCHS, Thomas   |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, BARSIG, Johannes  |
| VIII-2-1<br>(ii) |  | ALTANA PHARMA AG is entitled as employer of the inventor, ULRICH, Wolf-Rüdiger  |
| VIII-2-1<br>(ix) | This declaration is made for the purposes of:  | all designations except the designation of the United States of America   |

|                    |   |   |
|--------------------|---|---|
| VIII-3-1           | <b>Declaration: Entitlement to claim priority</b><br>Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(III) and 51bis.1(a)(III)):<br>Name: | <b>in relation to this international application</b><br><br><b>ALTANA PHARMA AG</b><br><b>is entitled to claim priority of earlier application No. EP02007049.6 by virtue of the following:</b> |
| VIII-3-1<br>(viii) |   | <b>the applicant's name changed from Byk Gulden Lomberg Chemische Fabrik GmbH to ALTANA Pharma AG on 01 July 2002 (01.07.2002)</b>  |
| VIII-3-1<br>(ix)   | <b>This declaration is made for the purposes of:</b>  | <b>all designations</b>   |



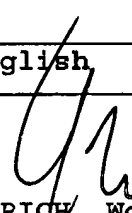
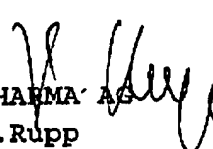
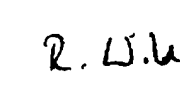
|                |   |   |
|----------------|---|---|
| VIII-4-1       | <b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b><br>Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America: | <p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p> |
| VIII-4-1<br>-1 | Prior applications:   |   |

|                  |   |  |
|------------------|---|--|
|                  |   | <p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> |
| VIII-4-1<br>-1-1 | Name:   | ULRICH, Wolf-Rüdiger   |
| VIII-4-1<br>-1-2 | Residence:<br>(city and either US State, if applicable, or country)   | Konstanz, Germany  |
| VIII-4-1<br>-1-3 | Mailing address:  | Alpenstr. 2  |
| VIII-4-1<br>-1-4 | Citizenship:  | DE   |
| VIII-4-1<br>-1-5 | Inventor's Signature:<br>(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the International application. The signature must be that of the Inventor, not that of the agent) |  |
| VIII-4-1<br>-1-6 | Date:<br>(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)  |  |

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| IX    | Check list   | number of sheets  | electronic file(s) attached |
|-------|--|---|-----------------------------|
| IX-1  | Request (including declaration sheets)                     | 11  | -                           |
| IX-2  | Description  | 42  | -                           |
| IX-3  | Claims   | 5   | -                           |
| IX-4  | Abstract   | 1   | EZABST00.TXT                |
| IX-5  | Drawings   | 0   | -                           |
| IX-7  | TOTAL  | 59  |                             |
|       | <b>Accompanying items</b>                                  | paper document(s) attached  | electronic file(s) attached |
| IX-8  | Fee calculation sheet                                      | ✓   | -                           |
| IX-13 | Priority document(s)                                       | Item(s) VI-1  | -                           |
| IX-17 | PCT-EASY diskette  | -   | Diskette                    |
| IX-19 | Figure of the drawings which should accompany the abstract |   |                             |
| IX-20 | Language of filing of the international application        | English   |                             |
| X-1   | Signature of applicant, agent or common representative     |            |                             |
| X-1-1 | Name (LAST, First)   | ULRICH, Wolf-Rüdiger  |                             |
| X-2   | Signature of applicant, agent or common representative     |          |                             |
| X-2-1 | Name   | ALTANA PHARMA AG  |                             |
| X-2-2 | Name of signatory  | i.V.Dr.H.Rupp   |                             |
| X-2-3 | Capacity   | Head of patent Dept. Assistant Manager  |                             |
|       |  |  R.Wild |                             |
|       |  | i.V.Dr.R.Wild   |                             |

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|        |   |        |
|--------|---|--------|
| 10-1   | Date of actual receipt of the purported international application   |        |
| 10-2   | Drawings:   |        |
| 10-2-1 | Received  |        |
| 10-2-2 | Not received  |        |
| 10-3   | Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application |        |
| 10-4   | Date of timely receipt of the required corrections under PCT Article 11(2)  |        |
| 10-5   | International Searching Authority   | ISA/EP |
| 10-6   | Transmittal of search copy delayed until search fee is paid   |        |

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|------|--|--|
| 11-1 | Date of receipt of the record copy by the International Bureau |  |
|------|--|--|

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|                    |  |   |
|--------------------|--|---|
| VIII-3-1           | <p><b>Declaration: Entitlement to claim priority</b><br/> Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):<br/> Name:</p> | <p>in relation to this international application</p> <p>ALTANA PHARMA AG<br/> is entitled to claim priority of earlier application No. EP02007049.6 by virtue of the following:</p> |
| VIII-3-1<br>(viii) |  | <p>the applicant's name changed from Byk Gulden Lomberg Chemische Fabrik GmbH to ALTANA Pharma AG on 01 July 2002 (01.07.2002)</p>  |
| VIII-3-1<br>(ix)   | <p>This declaration is made for the purposes of:</p>   | <p>all designations</p>   |

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|------------------------|--|---|
| <p>VIII-4-1</p>        | <p><b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b><br/> Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p> | <p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p> |
| <p>VIII-4-1<br/>-1</p> | <p>Prior applications:</p>   |   |

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|          |  |  |
|----------|--|--|
|          |  | <p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> |
| VIII-4-1 | Name:  | ULRICH, Wolf-Rüdiger   |
| -1-1     |  |  |
| VIII-4-1 | Residence:   | Konstanz, Germany  |
| -1-2     | (city and either US State, if applicable, or country)  |  |
| VIII-4-1 | Mailing address:   | Alpenstr. 2  |
| -1-3     |  |  |
| VIII-4-1 | Citizenship:   | DE   |
| -1-4     |  |  |
| VIII-4-1 | Inventor's Signature:  |  |
| -1-5     | (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent) |  |
| VIII-4-1 | Date:  |  |
| -1-6     | (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)  |  |

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